



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-3

May 10, 2001

J. Brian Murphy, Treasurer
Democratic State Committee Delaware
P.O. Box 2065
Wilmington, DE 19899

Identification Number: C00211763

Reference: 30 Day Post-General Report (10/19/00-11/27/00)

Dear Mr. Murphy:

This letter is to inform you that as of May 9, 2001, the Commission has not received your response to our request for additional information, dated April 18, 2001. This notice requests information essential to full public disclosure of your federal election campaign finances. To ensure compliance with the provisions of the Federal Election Campaign Act (the Act), please respond to this request (copy enclosed).

An adequate response must be received at the Commission by May 30, 2001. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

If you should have any questions regarding this matter, please contact Erik Koeppen on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or our local number (202) 694-1130.

Sincerely,

A handwritten signature in dark ink, appearing to read "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

J. Brian Murphy, Treasurer
Democratic State Committee Delaware
P.O. Box 2065
Wilmington, DE 19899

APR 18 2001

Identification Number: C00211763

Reference: 30 Day Post-General Report (10/19/00-11/27/00)

Dear Mr. Murphy:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) preclude a committee and its affiliates from receiving contributions from another political committee or person in excess of \$5,000 per calendar year.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution(s) you received exceeded the limits, you must seek reattribution of the contribution pursuant to 11 CFR §110.1(k), transfer-out the amount in excess of \$5,000 to an account not used to influence federal elections or refund the excessive amount to the donor(s) in accordance with 11 CFR §103.3(b). In the best interest of your committee, all reattributions, transfers-out, and refunds should be made within sixty days of the treasurer's receipt of the contribution(s). In order to protect the donor's interests, the Commission recommends that you inform the contributor(s) in writing to provide the donor(s) with the option of granting written authorization for a reattribution or transfer-out to another account or receiving a refund.

DEMOCRATIC STATE COMMITTEE DELAWARE
PAGE 2

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Schedule B supporting Line 22 (pertinent portion(s) attached) discloses \$105,065.19 in disbursements to Democratic State Committee Non-Federal Account for "Refund". You are advised that 11 CFR §102.5 prohibits a non-federal account from financing activity in connection with federal elections. Please provide clarifying information regarding these transactions including the date(s) when the original activity was conducted by the non-federal account. In addition, if any of the disbursements disclosed on Schedule B supporting Line 22 were made to influence the election or defeat of specific federal candidates, the disbursements should be allocated accordingly and disclosed as either in-kind contributions on Schedule B supporting Line 23, or as coordinated expenditures on Schedule F supporting Line 25. 11 CFR §§104.3(b)(3) and 106.1

Although the Commission may initiate legal action regarding the activities conducted by your non-federal account, any clarifying information that you can provide will be taken into consideration.

-Schedule B supporting Line 22 discloses a refund made to your non-federal account; however, it appears that the receipt of this contribution has not been reported by your committee. Please provide the original date of receipt of the contribution. In addition, you must amend the report covering the period during which the contribution was received to disclose the receipt on Schedule A supporting the appropriate line of the Detailed Summary Page. 11 CFR §103.3(b)(1)

-Schedule H4 discloses a disbursement(s) which is categorized as a

fundraising expense(s); however, a Schedule H2 has not been filed to disclose the allocation ratio. All committees are required to allocate the direct costs of each fundraising event in which the committee collects both federal and non-federal funds. The costs are allocated according to the funds received ratio and reported on Schedule H2. 11 CFR §§106.5(f) and 106.6(d). Please file a Schedule H2 to disclose the ratio for the fundraising event(s).

-Schedule H4 discloses a disbursement(s) which is categorized as an exempt expense(s); however, a Schedule H2 has not been filed to disclose the allocation ratio. All committees are required to allocate the direct costs of each exempt activity in which the committee disburses funds for both federal and non-federal purposes. The costs are allocated according to the time and space method and reported on Schedule H2. 11 CFR §106.5(e). Please file a Schedule H2 to disclose the ratio for the exempt activity.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 of your report to clarify the following description(s): "Consultant", "Consultants", "GOTV", and "Contractor". For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Please clarify all expenditures for "voter registration" and "get-out-the-vote". In addition, if any of the voter registration or get-out-the-vote activities referenced House or Senate candidates, they should be allocated accordingly, unless merely incidental to the overall activity. If a portion or all of these expenditures were made on behalf of federal candidates, they should be reported on Schedules B, E or F for Lines 23, 24 or 25 of the Detailed Summary Page, as appropriate.

-You have made disbursements for "Advertising" which you have characterized as exempt activities. In order for an activity to be classified as exempt, it must meet the following conditions: (1) For slate cards and sample ballots: it names at least three candidates running for election to any public office, it is not distributed through public political advertising (including broadcast media, newspapers, magazines, and billboards), the content is limited to the identification of each candidate, the office or position currently held, the office sought and party affiliation, and the costs allocable to federal candidates are paid with permissible funds; (2) For

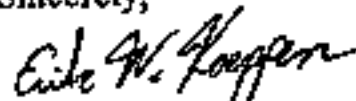
campaign materials: the activity is conducted on behalf of the party's nominees in the general election, the materials are distributed by volunteers-
-not through public political advertising, the party committee does not use materials purchased by the national party committee or money transferred from the national committee to purchase materials, the party committee does not use funds designated for a particular federal candidate, a payment from a non-federal campaign to help pay for the materials does not exceed its allocated share of the expenses, and the costs allocable to federal candidates are paid with permissible funds; (3) For voter drives: the activity is on behalf of the party's Presidential and Vice Presidential nominees, the activity does not involve the use of public political advertising such as television, radio, newspapers, magazines, billboards or direct mail, phone banks are operated by volunteers (although paid professionals may design the system, develop calling instructions and train supervisors), the party committee does not use funds transferred by the national party committee for voter drive activities, the party committee does not use funds designated for a particular federal candidate, and the cost allocable to federal candidates are paid with permissible funds.

If the activity disclosed on your report does not meet the definition of "exempt" activity as described above, and if any portion of the expenditures were made on behalf of specifically identified candidates, this amount must be disclosed on Schedule B or F supporting Line 23 or 25 of the Detailed Summary Page as appropriate. Please provide the Commission with a more detailed explanation of these activities.

-Please clarify all expenditures made for "Advertising" on Schedule(s) H4. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedules B, E, or F supporting Lines 23, 24 or 25 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Erik W. Koeppen
Reports Analyst
Reports Analysis Division

SCHEDULE A

ITEMIZED RECEIPTS

 Use Separate schedule(s)
for each category of the
Detailed Summary Page

 PAGE 1 OF 1
FOR LINE NUMBER 11c

Contributions from PACS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in full) Democratic State Committee (Delaware)

A. Full name, Mailing Address and ZIP code Sheet Metal Workers Local 19 1301 S Columbus Blvd Philadelphia, PA 19147 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date	Date (month, day, year) 10/31/2000 10/31/2000 \$5,000.00	Amount of Each Receipt This Period \$5,000.00
B. Full name, Mailing Address and ZIP code IBEW COPE 1126 15th St, NW Washington, DC 20005 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date	Date (month, day, year) 10/31/2000 10/31/2000 \$5,000.00	Amount of Each Receipt This Period \$5,000.00
C. Full name, Mailing Address and ZIP code Comm on Letter Carriers Pol. Educ. 100 Indiana Ave NW Washington, DC 20036 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date	Date (month, day, year) 10/26/2000 10/26/2000 \$5,000.00	Amount of Each Receipt This Period \$5,000.00
D. Full name, Mailing Address and ZIP code UAW V CAP 8000 E. Jefferson Dr Detroit, MI 48214 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date	Date (month, day, year) 11/06/2000 11/06/2000 \$5,000.00	Amount of Each Receipt This Period \$5,000.00
E. Full name, Mailing Address and ZIP code Mason Tenders District Council of Greater 32 W. 18th St, 7th Fl New York, NY 10011 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date	Date (month, day, year) 11/03/2000 11/03/2000 \$5,000.00	Amount of Each Receipt This Period \$5,000.00
F. Full name, Mailing Address and ZIP code New Jersey State Laborer's PAC 104 Interchange Pl, Ste 301 Cranbury, NJ 08512 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date	Date (month, day, year) 11/03/2000 11/03/2000 \$5,000.00	Amount of Each Receipt This Period \$5,000.00
G. Full name, Mailing Address and ZIP code UFCW Int Union 1775 K St NW Washington, DC 20006 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date	Date (month, day, year) 10/31/2000 10/31/2000 \$5,000.00	Amount of Each Receipt This Period \$5,000.00

SUBTOTAL of Receipts This page (Optional)

\$35,000.00

TOTAL This Period (last page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

 Use Separate schedule(s)
for each category of the
Detailed Summary Page

 PAGE 1 OF 1
FOR LINE NUMBER 11c

Contributions from PACS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full) Democratic State Committee (Delaware)

A. Full name, Mailing Address and ZIP code Daimler Chrysler Political Support Committ PO Box 6040 Newark, DE 19714	Name of Employer Occupation	Date (month, day, year) 05/23/2000	Amount of Each Receipt This Period \$1,500.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date \$1,500.00		
B. Full name, Mailing Address and ZIP code Advaria Corporation Employees PAC PO Box 15170 Wilmington, DE 19850	Name of Employer Occupation	Date (month, day, year) 05/23/2000	Amount of Each Receipt This Period \$1,500.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date \$1,500.00		
C. Full name, Mailing Address and ZIP code The NEA Fund For Children & Public Educ 1201 16th Street Washington, DC 20036	Name of Employer Occupation	Date (month, day, year) 05/15/2000	Amount of Each Receipt This Period \$5,000.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date \$5,000.00		
D. Full name, Mailing Address and ZIP code I.B.E.W. - C.O.P.E. 1125 15th Street, NW Washington, DC 20005	Name of Employer Occupation	Date (month, day, year) 04/06/2000	Amount of Each Receipt This Period \$5,000.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date \$5,000.00		
E. Full name, Mailing Address and ZIP code 	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date		
F. Full name, Mailing Address and ZIP code 	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date		
G. Full name, Mailing Address and ZIP code 	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date		

SUBTOTAL of Receipts This page (Optional)

\$13,000.00

TOTAL This Period (last page this line number only)

SCHEDULE A**ITEMIZED RECEIPTS**Use Separate schedule(s)
for each category of the
Detailed Summary Page

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1	2
FOR LINE NUMBER	
11a	

Contributions from Individuals/Corporations

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full) Democratic State Committee (Delaware)

A. Full name, Mailing Address and ZIP code Bayard, Richard H. 9 Red Oak Rd Wilmington, DE 19806 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Bayard Firm	Date (month, day, year)	Amount of Each Receipt This Period \$250.00
	Occupation Attorney	10/19/2000	
	Aggregate Year-to-Date \$350.00		
B. Full name, Mailing Address and ZIP code Malone, Paula 3 Red Oak Rd Wilmington, DE 19806 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Wings Foundation	Date (month, day, year)	Amount of Each Receipt This Period \$250.00
	Occupation Doctor	11/14/2000	
	Aggregate Year-to-Date \$250.00		
C. Full name, Mailing Address and ZIP code Caspersen, Fimi M.W. PO Box 617 Gladstone, NJ 07934 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Knickerbocker Financial	Date (month, day, year)	Amount of Each Receipt This Period \$1,000.00
	Occupation Executive	10/25/2000	
	Aggregate Year-to-Date \$1,000.00		
D. Full name, Mailing Address and ZIP code Brandt, Jr., William A. 2000 S. Bayside Dr, Villa 39 Coconut Grove, FL 33133 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Self	Date (month, day, year)	Amount of Each Receipt This Period \$3,000.00
	Occupation Investor	10/24/2000	
	Aggregate Year-to-Date \$3,000.00		
E. Full name, Mailing Address and ZIP code Pennington, Kevin 3944 Ambert Dallas, TX 75225 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Excel Communications	Date (month, day, year)	Amount of Each Receipt This Period \$1,000.00
	Occupation Executive	10/31/2000	
	Aggregate Year-to-Date \$1,000.00		
F. Full name, Mailing Address and ZIP code Kilroy, Kevin 37 Springbrook Ln Newark, DE 19711 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Bluestone Software	Date (month, day, year)	Amount of Each Receipt This Period \$6,000.00
	Occupation CEO	11/01/2000	
	Aggregate Year-to-Date \$6,000.00		
G. Full name, Mailing Address and ZIP code Cooper, Lawrence B. 1250 Lake Hearn Dr, Ste 650 Atlanta, GA 30342 Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Self	Date (month, day, year)	Amount of Each Receipt This Period \$2,500.00
	Occupation Doctor	11/16/2000	
	Aggregate Year-to-Date \$2,500.00		

SUBTOTAL of Receipts This page (Optional)

\$14,800.00

TOTAL This Period (last page this line number only)

SCHEDULE B**ITEMIZED DISBURSEMENT**
 Use Separate schedule(s)
for each category of the
Detailed Summary Page

PAGE	OF
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FOR LINE NUMBER	
22	

Transfers to Affiliated/Other Party Committees (B - Line 22)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full) Democratic State Committee (Delaware)

A. Full name, Mailing Address and ZIP code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Democratic State Committee Non-Federal Ac PO Box 2065 Wilmington, DE 19899	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/25/2000	\$46.20
B. Full name, Mailing Address and ZIP code Democratic State Committee Non-Federal Ac PO Box 2065 Wilmington, DE 19899	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/25/2000	\$2,662.00
C. Full name, Mailing Address and ZIP code Democratic State Committee Non-Federal Ac PO Box 2065 Wilmington, DE 19899	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/25/2000	\$154.00
D. Full name, Mailing Address and ZIP code Democratic State Committee Non-Federal Ac PO Box 2065 Wilmington, DE 19899	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/25/2000	\$740.99
E. Full name, Mailing Address and ZIP code Democratic State Committee Non-Federal Ac PO Box 2065 Wilmington, DE 19899	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	11/01/2000	\$14,700.00
F. Full name, Mailing Address and ZIP code Democratic State Committee Non-Federal Ac PO Box 2065 Wilmington, DE 19899	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	11/01/2000	\$86,762.00
G. Full name, Mailing Address and ZIP code DNC-Federal 430 S. Capital St SE Washington, DC 20003	Refund Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	11/22/2000	\$6,300.00
H. Full name, Mailing Address and ZIP code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full name, Mailing Address and ZIP code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This page (Optional)			
TOTAL This Period (last page this line number only)			\$111,365.19

